

IOWA STATE SHERIFFS' & DEPUTIES' ASSOCIATION
State Reimbursement for County Confinement of State Prisoners

Historically and to present day, the Iowa State Sheriffs' & Deputies' Association and the Iowa Department of Corrections have worked together to address Iowa's growing demand for prison and jail beds. ISSDA and the Iowa State Association of Counties (ISAC) continue to be on record of supporting the DOC's on-going needs for increased prison beds and its current request for the special needs unit. ISSDA and DOC have a good working relationship as it relates to jail inspections and standards.

ISSDA also supports initiatives that go to the root of the problem of Iowa's overflowing prisons and jails. ISSDA supports meaningful sentencing reform that seeks alternatives for non-violent offenders, as well as supports additional resources for community-based corrections and treatment programs.

Over the past two years, the issue of the county confinement of state prisoners has become a higher priority for counties facing increasing law enforcement costs. Historically, counties that billed the state for reimbursement for housing alleged parole violators (Iowa Code 906.17), alleged work release violators (904.908), and OWI violators awaiting treatment facilities (904.513), were paid late or sometimes not paid. A survey of ISSDA members in Fall 1999 showed that many counties had stopped billing DOC because they were not being paid. Therefore, ISSDA initiated a meeting with DOC to address the billing process, which resulted in an agreed to billing form that the counties are asked to use to receive reimbursement. This new reimbursement process resulted in more accurate payments to counties in 2000 (up approx. \$400,000).

PROPOSALS FOR FY 2002

Citing the actual cost of meeting its statutory requirements for county confinement, the DOC initially proposed an increase to the county confinement line item of \$800,000 to \$1.3 million.

Governor Vilsack recommends a statutory statewide cap of \$25 per day for county confinement of state prisoners, resulting in a decrease to the line item of more than \$91,000.

ISSDA PROPOSAL

ISSDA supports any level of increase to the DOC county confinement line item to allow DOC to more accurately meet its responsibility to the counties and local taxpayers.

ISSDA opposes any statutory statewide cap of per diem. County costs vary. A statewide cap would be inefficient. Current code allows the DOC Director to negotiate the rate county-by-county, just as he negotiates the rate for holding federal prisoners. A \$25 cap would not meet current cost for any county, the refore, shifting a state responsibility to the local taxpayer.

The DOC receives approximately \$70 to \$100 per day for housing federal prisoners. ISSDA would ask the Legislature to consider allowing DOC to use a portion of the approximately \$2 million a year received fmm the U.S. Marshal for federal detainees to reimburse counties. If new funds are not available for county confinement of state prisoners and the DOC's county confinement line item becomes depleted, ISSDA would request that the DOC free up beds currently housing federal prisoners to make room for prisoners under the Directors' custody who are currently housed in county jails.

Although the billing form for county confinement reimbursement currently used was approved by DOC, ISSDA recommends further enhancements to the billing process to ensure accountability. ISSDA supports using an invoice similar to that used by DOC and the counties for billine the federal government for federal prisoners.